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# Tempest in a toilet bowl!

## *Why politicians should repeal the 1.6-gallon toilet bowl law — and put a lid on their meddling in American bathrooms*

WASHINGTON, DC — Angry about politicians in your bedroom? Don't look now, but they're in your toilet, too, Libertarians say — and you shouldn't have to take *that* sitting down.

The latest government intrusion comes from Energy Department bureaucrats who mandated smaller-capacity toilet tanks starting in 1994. The smaller tanks caused a flood of consumer complaints about backed-up toilets — and spurred a booming black market in the old-style toilets. So now Congress is considering legislation to repeal the law.

"Politicians who claim the era of big government is over are busy regulating the volume of water in our toilets," said Steve Dasbach, Libertarian Party national chairman. "Talk about being bowled over by government intervention!"

As part of the Energy Policy and Conservation Act, which took effect in 1994, Congress outlawed toilet tanks with the standard 3.5-gallon capacity and mandated 1.6-gallon tanks in all new homes. A new bill sponsored by Rep. Joe Knollenberg (R-MI) would repeal the law.

But whether it is repealed or not, the "War on 3.5-Gallon Toilet Tanks" has created yet another class of government-mandated winners and losers, noted Dasbach. The losers:

**Consumers:** They are stuck with a product that many of them hate, and can be fined \$2,500 if they try to buy an old-style toilet that actually works.

**The environment:** Homeowners may actually waste more water than they save because they have to flush the new toilets multiple times to make them work properly.

**The bathroom fixtures industry:** It spent millions of dollars retooling factories to accommodate the new law — money which will be wasted if the mandate is repealed.

And the winners? **Black-market toilet bootleggers:** They're making big profits by selling a popular but illegal product — old-style toilets.

**Politicians:** They get to pose as friends of the environment, even if they end up wasting water instead of preserving it.

"The Constitution talks about the need to create a more perfect union. Politicians have interpreted this to mean that they have the power to mandate a more perfect flush," Dasbach said. "When it comes to imposing mindless, meddlesome regulations, what will it take to get politicians to put a lid on it?"

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